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FROM

Hon. Charles Sumner

APPENDIX

TO THE

UNION OF THE STATES,

AND THE UNION OF THE FAMILIES OF THE

UNITED STATES AND GREAT BRITAIN,

HOW THEY MAY BE PRESERVED.

BY MRS. J. P. THURSTON.

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AN APPENDIX

TO THE PAMPHLET ENTITLED, "THE UNION OF THE STATES, AND THE UNION OF THE FAMILIES OF THE UNITED STATES AND OF GREAT BRITAIN. HOW THEY MAY BE PRESERVED.

"The Power of the Prayer of Faith."

The Union of the States is a subject paramount to all others, and one that should be carried with true faith by every praying Christian to the throne of grace; that God will save us from the miseries of a sundered Union. Let us ask of Him (who never refuses a request offered in faith) wisdom to direct our Rulers, and for wisdom to direct the whole people in the right measures to preserve the Union right. Justice is strong; next to the Almighty. "Real manifest justice, in our civil relations to the entire copartnership of our Union on the one side, would be more successful in promoting harmony, than many ships of war on the other side.

We are to do right, then, on the Statue books, so as to fulfil our constitutional pledges, and by every manifestation of kindness and forbearance endeavor to conciliate and harmonize discordant elements, or spirits. Lest the Lord pour out his indignation upon us, as upon Jerusalem, as written in Ezekiel 22d, 15th verse to 31sl, which read and reflect upon.

When our States combined together under one government, they came into the Union, each with all the imperfections and wrongs it had tolerated; and with some, which the rulers themselves, no more elevated in morals than the people, had justified and confirmed. They took each other with a clear understanding of what they took, for better or for worse.

If we examine the character of Washington, we shall find it thoroughly imbrued with conscientious convictions of duty. Duty! Duty! was the great controlling idea with him. So strong, so deep, so sublime was his sense of duty, that in its discharge he felt himself under special guidance, or protection of an overruling destiny. "I think I see clearly the finger of Providence in my past life," was a form of expression used by him. And again he said: "As the All-wise Dispenser of events has hitherto watched our very steps, I trust," &c.

His sense of duty was a robust, manly feeling, the verdict of a sound judgment sustained by an active healthy conscience; and acting up to its dictates he felt himself under the guidance and protection of the great Arbiter of truth and justice. This was the basis of his belief in destiny. Stayed by it, as by a great anchor, his soul was calm, steadfast, immovable. He had not that vulgar firmness which boasts itself for a purpose and surrenders for a price. His was that firmness that repels temptation, and makes one calmer as the storm grows louder. Let me present one or two illustrations.

When the great work was done and the time approached for the army to be disbanded, they were greatly dissatisfied; they thought that Congress had treated them with injustice. With the assent and encouragement of Washington, they would undoubtedly have been ready to make him supreme ruler, with the title of King. Washington scorned the proffered bribe, and successfully rebuked the sedition.

Another incident in his life, which perhaps equally exhibits his self-denial and controlling sense of duty. The year 1777 was drawing to a close under circumstances very unfavorable to the American Commander-in-chief. The operations were probably planned by him, which led to the surrender of Gen. Burgoyne, but Gates had reaped the credit of the achievement. Brandywine, Germantown and Fort Mifflin, had been the

scenes of disaster to his foes; and to crown all, Philadelphia was in possession of the enemy. In the meantime, a formidable rally had been formed, in which Gates, Conway, Mifflin and Sewell were the prime movers, whose object was to displace Washington from the chief command, and they were working not without some effect. Under these circumstances, his friends thought it a matter of great importance to him to make a brilliant stroke. To drive out the enemy from Philadelphia and retake it, Washington was satisfied he could accomplish. But he concluded that while success would re-establish his own influence, the effect would be attended with so much loss of life as to do real injury to the patriot cause. He therefore resisted all persuasion, and yielded his own interest to the good of his country. What Napoleon or even Wellington would have done under similar circumstances, none can doubt. Washington alone could thus prefer duty to fame and power. With so controlling a sense of duty, it may well be conceded, that success could not greatly elevate, nor reverse cast him down. In the one ease, he felt that he had merely been an instrument in the advancement of a good work; in the other he replied, that He who is stronger than armies, and more powerful than the winds and wars of adverse fortune would, in His own time, take care of His own cause. He was therefore prone to "hope against hope." It was his maxim, "never to despair." Washington possessed a clear sound judgment, and a firm will, an ability to undergo hardships, and sympathy with the sufferings of others, economy in the use of means." God grant that our rulers may follow the light which flows from the character of our beloved Washington, and that the Union of the States and of families may be preserved to the latest generations. We see that whatever wisdom could devise, or firmness execute, or clemency soften, or devotion suffer, all this, it was known, might confidently be expected of him. And his example, may it be the

study of our rulers who represent the people, in whom the sovereignty is vested, and from whom, as trustees and agents, they receive their power, and to whom they are amenable at all times, to so imbue themselves with the spirit of Washington, as to remove the present difficulties and to produce union and harmony to our beloved country.

Let us not suppose we shall gain any good by disunion. The English Colonies might wish to unite with the North. But what possible benefit could be derived from them. Their own strength is perfect weakness. Let us imagine, for a moment, what the state of the British Government would be if her Majesty, the Queen Victoria, should be removed by death. Who would then be at the head of that Government as King? Prince Albert, or the Prince of Wales? We read in a London paper, of the date * * * * * which is now before us, the whole marriage ceremony and contract. That contract is void, inasmuch as it is *unlawful* for the *Prince* to *endow* her Majesty with all his worldly goods, even though it be enforced by an oath. The Queen endows the Prince, by the marriage contract, with *all* her *powers* of *mind*, and *wealth*, which *overbalances* his, so far as to *annul* the marriage contract. For it is a maxim in law, that a contract based upon an *unreasonable consideration* is *void.* A contract where the consideration is palpably insufficient for the performance of such contract, is void.

Who, then, would be King of England? By the marriage contract, they (Prince Albert and her majesty, Queen Victoria, long may she live to bless her nation) are like our first parents in the garden of Eden—one flesh; and if they are one, it is apparent to my readers who would be the King. If they are not *one*, then is the marriage contract void. Then who would be the King of England at the Queen's decease?

We would suggest that the Statute books be made to conform to marriage contract, and thus Prince Albert can unite

his will with Queen Victoria, for the Prince of Wales to succeed her, and thereby bless, and save the Union of Families in the United States, as well as in Great Britain.

Let us take another view of the marriage contract. *Two* fundamental doctrines of the church, viz: man's accountability and free agency are destroyed by the conflicting law, which gives a *portion only*, instead of endowing the wife with *all*. The comprehension of which is the several parts of the *whole*. "With *all* my worldly goods I thee endow" in the name of the Father, and of the Son, and of the Holy Ghost. Amen." With the sun's clearest effulgence in the heavens, how absurb to reason with man that it diffuses no light and heat to the earth. Thus absurd does it appear to us to argue the point at issue. Even the definition of the word preceding the last period signify the married *couple*,—one, only. The Trinitarian, surely, can understand the divine nature. (We speak with deep awe on that most sacred subject.) The Scriptures teach us that the "wayfaring man though a fool need not err therein. But to return to the "contract of marriage." The *law* recognizes not the *wife* as one. Parents were recognized by the Lord at the marriage in the Garden of Eden, as "one flesh," and as "mother of all living," signifying Adam's estate. But the *law* in *lieu* of it *endows* the wife wtih *nothing*, *actually;* although it is *written* in their *Statute books* that the wife is endowed with one-third. For example: The husband becomes addicted to gambling, and his (?) one hundred thousand dollars gradually diminishes; and the distracted husband, to drown his remorse and anguish, puts an end to his existence, after having squandered it all away. Where, then, is the wife's dower, if that property was all in bank stock, scrip and bonds?

The law does not recognize the wife as a partner with her husband, consequently no action can be sustained to her advantage therefrom, as might be in the case of a partner, who

draws a note or bill in his individual name, the firm would not be liable therefor. But as we have already said, where the light is as clear as the noon-day sun, how absurd to argue the point. Unless the married *couple* are *one*, the oaths and laws are useless, and void.

1st. We have shown, that by an oath the wife is endowed at the marriage altar, with *all*, "not a *portion*," but *all*, comprehending the *several parts of the whole*—as one with the husband. And the law should be made to conform thereto. How absurd does it appear for his Royal Highness, the Duke of Sussex to take the hand of her Majesty, and place in that of his Serene Highness, and take a vow, pledge each their oath, and the Archbishop of Canterbury to call upon the "Eternal God for his blessing, and that they may surely perform and keep the vow and covenant betwixt them made, whereof this ring given and received, is a token and pledge,) and may ever remain in perfect love and peace together, and live according to thy laws through Jesus Christ our Lord. Amen. Those whom God hath joined together, let no men put asunder.

Forasmuch as Albert and Victoria have consorted together in holy wedlock, and have witnessed the same before God, and this company, and thereto have given and pledged their troth either to other, and have declared the same by giving and receiving of a ring, and by joining of hands, I pronounce that they be man and wife together."

Though we have copied more than we intended of the ceremony, we cannot forbear copying that portion of the ceremony where Prince Albert placed the ring on her finger, repeating, "With this ring I thee wed, with my body I thee worship, and with *all* my worldly goods I *thee* endow, in the name of the Father, and of the Son, and of the Holy Ghost."

How absurd does all this sacred rite appear if the law of the land cannot be made to conform to it. If that sacred oath

can be laid aside, on what foundation rest all laws? Is not the *oath* the very basis of the laws? All *contracts* for *unlawful acts* are *void.* Is the law that conflicts with man as a free agent, as a moral and accountable being to his Creator, and to his most sacred vow at the marriage ceremony to remain, and yet the laws of justice be based upon man's oath. Where is thy faith? By their works ye shall know them.

"The oath was administered in the time of Christ at the judgment hall of the Sanhedrim. Christ himself is cited before the throne of the Almighty, and ealled upon to testify on oath and under invocation of the name of the Most High God, as to whom he was, whether a false prophet and deceiver. The High Priest uses the form of adjuration customary in Israel. "I adjure thee," says he "by the living God, that thou tell us whether thou be the Christ the Son of the blessed." The High Priest thus solemnly calls upon Jesus, as it were for his credentials, while making the basis of the entire Christian religion as the object of his inquiry, and in so doing is perfectly justified by his official position. He knows the Messiah will be the Son of God, and not only like Jehovah, but Jehovah's equal, and thus really God. Caiphas asks, "art thou he?" He stands there ready to sink with weariness from his sufferings, forsaken of his friends, inveigled against by his enemies, apparently the offscouring of the earth and incomparably wretched. Jesus is silent while the accusations were being made against him. He knows his answer will cause his death, but he no longer refrains. He testifies before the throne of the living God with clear consciousness, consideration and formality, and solemnity. Thou hast said it, "I am." His affirmation establishes our faith on an everlasting foundation.

If the Oath is the basis of our religious faith, how is it that the laws of the land are permitted to conflict with it, as in the marriage contract?

We recollect an instance in very early life, of attending a Sabbath day service, of a cold autumnal morning, with our little treasure, in one piece of money in our pocket. The pastor took for his text, "He that giveth to the poor, lendeth to the Lord; that which he giveth him will He pay him again." The sermon was a strong one in behalf of the destitute; unable to resist his arguments, (after vainly wishing our money in broken fragments that we might give less, as our various wants arose up in the mind, and that it must be our *all* or *none*.) As the box came around, we cast it all in, believing that the Lord would provide for our immediate wants. It was a cold windy day, and as we were returning from church, not more than five minutes after leaving it, a bit of paper blew at our feet. Judge of our surprise on looking at it to perceive a three dollar bill, which we could find no owner for. And thus we took it that the Lord sent us principle and interest. Let me assure my readers that it taught us to "Judge not the Lord by feeble sense, but to trust him for his promised grace, ever after. Will you do likewise? Take him at his promises, "that to him that hath no mite, He increaseth strength." *Faith* in God is all that is needed to save the Union of the States; of the families thereof. We feel assured that all that is needed for our salvation, as a united people, as well as our eternal salvation, is true abiding faith in God. God the Father, God the Son, and God the Spirit, *Three* in *One*. Let our rulers, one and all, unite with the people and ask wisdom of God, as did Solomon; and who doubts God's promise that he will answer by bestowing it. When the heart is made contrite before God, how easy is it to make our conduct *right* towards our fellow men.

For the love you bear towards your wives and daughters, and your aged mothers, who are powerless, comparatively with yourselves, we had almost said,—(yet not powerless are they in a right cause and with a right spirit, if they plead at His

footstool who is Almighty.) For He has promised to hear and to answer the prayer of faith. He has all power in heaven and in earth. Let us therefore, my sisters, beseech Him to save us as a nation. Let me entreat our brothers, also, to ask God for wisdom and direction, and thereby save to your loved ones the United States—the home of the free. It is a duty we owe to them to make every concession that God and conscience dictate; to save this Union which our fathers have bought with the price of their own blood; that we might enjoy its rich blessings—a free country.

The power of the prayer of faith was strikingly manifested to us, on a passage from Europe to New York, in the winter of 185–. It was amidst discouragements sufficient to have crushed all hope of ever seeing the port of destination that the passage was made. The Captain of the ship had been sick in a foreign port, but was convalescent at the time of embarkation. His wife who was with him, secured the services of the mate of an American ship, to make the passage with them, and he was shipped as one of the crew, but he signed an agreement that she drew up, that he would do such duty as the Captain and ship most required. They had been out on their passage only ten days before the Captain was again seized with the malady which, to appearance, must certainly prove fatal. Quick as thought, the prayer ascended that he might be so far restored as to reach the port of destination—and that prayer was constantly going up, the prayer of faith! was it answered? Yes! it was answered! He reached his own home, but died shortly after.

It was amidst storms and tempests the passage was made, and on one occasion when the tempest was raging most frightfully, at early dawn, (and it came on with such suddenness as to find the ship illy prepared for it—she having her sails all set) that the power of prayer was again manifest. The Capt. was only able to stand up, with all the assistance his wife could

afford him, but to the companion-way he would go, and as he looked out upon the scene, the ship lying almost on her beam ends, with all her sails set—oh the horrors of that moment—he exclaimed in the deepest anguish, we are lost! we are lost! At that moment the prayer of faith ascended—Lord, save, or we perish. The vessel righted. The Capt. revived, and exclaimed, "the pumps! we shall sink!" The water was rushing with great violence across the decks. But the men were all needed at the yards. "What can be done," says the wife. "Promise me that you will not attempt to rise," and addressing the little children, "you keep watch that your father does not attempt to rise while I run forward, and in the name of the Captain, order the cook, steward and Consul passenger to the pumps. Which was immediately executed, and while the waves were washing over the decks she stood and saw it performed,—and whenever the Captain forgot his weakness, in his eagerness to come forward to assist, and attempted to rise, those little watchers would cry out, "Mother! Mother!" and thus remind him of his weakness, and of his promise.

Judge Story, of the Supreme Court of the United States, says,—The understanding is general, if not universal, that having been adopted by a majority of the people, the constitution of the State binds the whole community, *proprie vigore*, (by its own innate power,) and is unalterable, unless by the consent of a majority of the people, or at least, by the qualified voters of the State, in the manner prescribed by the Constitution, or otherwise *provided by the majority*. No right exists in any town or county, or any organized body within the State, short of the whole people of the State, to alter, suspend, resist, or disown the operations of that Constitution, or *to withdraw themselves from its jurisdiction*. Much less is the compact supposed, liable to interruption, or suspension, or dissolution, at the will of any private citizen, upon his own notion of its obligations or of any infringement of them by consti-

tuted authorities. The only redress for any such infringements and the only guaranties of individual rights and property, are understood to consist in the peaceable appeal to the proper tribunals, constituted by the government for such purposes; if these should fail, by the ultimate appeal to the justice and good sense of the majority. And according to Mr. Locke, is the true sense of the original compact, by which every individual has surrendered to the majority of the Society the right, permanently, to control and direct the operations of the government therein. *Story's Comm.* vol. 1, p. 305.

Mr. Rawle, a distinguished Commentator on the Constitution of the United States, has given us the following remarkable passage:

"It is not necessary that a Constitution should be in writing; but the superior advantages of one reduced to writing, over those resulting on traditionary information, or which are to be collected from rare acts and proceedings of the government itself, are great and manifest. A dependence on the latter, is indeed destructive of our main object of a Constitution, which is to *check* and *restrain* Governors. If the people can only refer to the acts and proceedings of the government to ascertain their own rights, it is obvious, that as every such act may introduce a new principle, there can be no stability in the government. The order of things is inverted; what ought to be the inferior, is placed above that which should be superior, and the legislature is able to alter the Constitution at its pleasure." *Rawle, on the Constitution*, p. 16.

Locke says: The legislature, being only a judiciary power, to act for certain ends, there remains still in the people a *superior power* to renew or alter the legislative when they find the legislative act contrary to the trust reposed in them.

If they (the people) have set limits to the duration of their legislature, and made this supreme power in any person or assembly only temporary; or, else, when by the miscarriages

of those in authority, it is forfeited; upon its forfeiture, or at the determination of the time set, it reverts to the society; and the people have a right to act as supreme and continue the legislative in themselves, or erect a new form; or under the old form, place it in new hands—as they think good. (*Ch.* 13, *s.* 147.)

Justice Iredell, of the Supreme Court of the United States, in relation to the difference between the principles of our own government and those of Europe, (3d vol. *Elliot's Debates*) says: "Our governmens is founded on much nobler principles. The people are known, with certainty, to have originated in themselves. Those in power are their servants and agents. And the people, without their consent, may remodel the government whenever they think proper, not merely because it is oppressively exercised, but because they think another form is more conducive to their welfare." (*Story Comm.*, vol. 1, 326.)

Judge Patterson, in advocating the adoption of the Constitution of the United States, says: "The first question that offers itself is, whether the general form and aspect of the government be strictly republican. It is evident that no other form would be reconcilable with the genius of the people of America, with the fundamental principles of the revolution, or with that honorable determination which animates every votary of freedom, to rest all our political experiments on the capacity of mankind for self-government." (*Federalist*, No. 39, p. 203.

Hamilton says: "The fabric of the American empire ought to rest on the solid basis of the *consent of the people*. That streams of material power ought to flow immediately from that pure original fountain of all legitimate authority." (*Federalist*, No. 22, p. 119.

Let us take a vote of the people of the State of Maine, and let a vote of the people of each State of this nation, be taken

to remedy the present evils, and see how quickly harmony will be restored and the Union preserved. Not one vote in this State, and we believe not one in any other State would be cast for the dissolution of the Union. If any one did vote for the dissolution of the Union in this State, we feel assured that his name would evermore be branded with that of Benedict Arnold, and his fate would surely follow him, also. Or of Judas, the betrayer of our blessed Redeemer.

Judge Wilson, Chief Justice of the Supreme Court of the United States, and a member of the Convention which framed the Constitution, and a signer of the Declaration of Independence, says: "The consequence of the sovereignty being vested in themselves is, that the people may change their constitution whenever and however they please. This is a right of which no positive institution can deprive them." Again he says: "Of the right of a majority of the whole people to change their government at *will*, there can be no doubt." 1 *Wilson*, 418. 1 *Tucker's Black. Comm.* 168, cited 324 p., vol. 1 *Story's Comm.*. Again he says: "As to the people, however, in whom the sovereign power resides, the case is widely different, and stands upon widely different principles. From *their* authority the Constitution originates; for their safety and felicity it is established. In their hands, it is as clay in those of the potter. They (the people) have a right to mould, preserve, refine, and finish it as they please." *Works*, vol. 4, p. 418.

These important truths are far from being merely *speculative*; we, at this moment, speak and deliberate under their immediate and benign influence. To the operation of these truths, we are to ascribe the scene, hitherto unparalleled, which America now exhibits to the world; a gentle, a peaceful, a voluntary, and a deliberate transfer from one constitution of government to another, (from the Confederation to the Constitution of the United States.) In other parts of the

world, the idea of revolution in government, by a mournful and indissoluble association, is connected with the idea of wars and all the calamities attendant on wars.

It seems, then, that revolution may be peaceful. But if we acknowledge the principles of American government and propose to change their institutions and consider a change as progressive steps in improving the knowledge of government, and increasing the happiness of society and mankind, we must consider that it can be accomplished only by the *consent* of a majority of the people. No *right* exists for revolution, to alter, suspend, resist or disown the operations of the Constitution, or to withdraw themselves from its jurisdiction. Much less is the compact supposed liable to interruption, or suspension, or dissolution at the will of any private citizen, upon his own notion of its obligations, or of any infringement of them by constituted authorities. The only *redress* for any such infringements and the only guarantees of individual rights and property are understood to consist in the peaceable appeal to the proper tribunals, constituted by the government for such purposes. *If they should fail*, by the ultimate appeal to the justice and good sense of the majority. Take a vote of the citizens of all the States including those seceding States, and we doubt not for one moment the result will be an overwhelming majority in favor of the Union of the States, and the repeal of all obnoxious laws. Try the experiment, brethren.

Oft have I viewed with silent pleasure and admiration, the force and prevalence through the United States, of this principle, that the supreme power resides in the people, and that they *never* part with it. It may be called the panacea in politics. If the error be in the legislature, it may be corrected by the Constitution; if in the Constitution, it may be corrected by the people. There is a remedy, therefore, for every distemper in government, if the people be not wanting to them-

selves. For a people wanting to themselves, there is no remedy.—*Ibid.*

A proper regard to the original and inherent, and continued power of the society to change its Constitution, will prevent mistakes and mischiefs of a very different kind. It will prevent giddy inconstancy; it will prevent unthinking rashness; it will prevent unmanly languor.—*Werks*, vol. 1, p. 420.

Luther Martin, Attorney General of Maryland, and one of the Delegates to the Convention of 1787, says: "Agreeably to the Articles of Confederation, entered into in the most solemn manner, (and for the observance of which, the States pledged themselves in the most solemn manner to each other; and called upon the Supreme Being, as a witness and avenger between them), no alterations are to be made in those Articles, unless after they are *approved by Congress* they are *agreed to by the Legislature* of every State; but by the resolve of the Convention, this Constitution is not to be so ratified, but is to be submitted to Conventions chosen by the people; and if ratified by them, is to be binding.

The sovereign power itself is enshrined and vested in the people, and as such, the Article of Confederation was submitted to Conventions chosen by the people and ratified by them, after they were agreed to by the Legislature of every State. The States pledged themselves in the most solemn manner to each other; and called upon the Supreme Being as a witness and avenger, that no *alterations* are to be made in those Articles. If the people when weighed in the balance, are not found wanting in themselves, they can submit the present difficulties to Conventions chosen by themselves, and if ratified by them, is to be binding; as did our fathers at the Convention of 1787. So may the people now do. We have put in the widow's mite to save the Union of the States; let each individual member of this great people do likewise, and we shall be saved. God grant that it may be thus saved; by

the individual members of this great family, heretofore so united and blessed.

To repress a short or harsh answer, to confess a fault and to stop (right or wrong) in the midst of self-defence, in gentle submission, sometimes requires a struggle like life and death; but these three efforts are the golden threads with which domestic happiness is woven. Once begin the fabric with this woof, trials shall not break, nor sorrows tarnish it. It seems to have been clearly shown forth, that in our Government, the supreme, absolute, and uncontrolable power remains in the people.

Quarrels ensue instead of amendment. We brood over our failure and wonder at the perversity or mankind, not reflecting that we have not put on that "Charity which suffereth long, and is kind, is not easily provoked, thinketh no evil." Nothing can be farther from the spirit of heaven than a stern, harsh, vindictive utterance of truth. We should ever remember that we can ourselves only be assisted by one who manifests to us a spirit of kindness in his counsel. To an assailant we close up. We cannot bear our faults to be opposed by one, exposed by one who does it in a spirit of exultation and insolence. But we love the friendly hand which has the brother's touch. We delight to see the dress not starched with prudery, but the truth softened and warmed by love. Truth, without love, is cold, hard and unpitying, and therefore repulsive." Remember the charge of Joseph to his brethren,—"See that ye fall not out by the way." Noticing a fault, rudely, betrays the appearance of dislike, and wounds deeply. In the Union of the States, as in that most sacred of all human ties, the marriage Union, (and which Union the Catholic Bishop told his congregation Sabbath eve., could only be dissolved hy death, when the rite was performed by their Church,) we should take kindly the opportunities of showing, that ours has not been

selfish love by being forgetful of self and seeking the happiness of those we love.

To assist and be assisted, is the object of the Union of the States, and of the marriage Union. Let us strive to preserve them till time is no more.

This Confederation was quietly set aside by the people through their delegates in Congress, and was succeeded by the Constitution; and the first quiet, bloodless revolution, of which the history of the world bears record, was effected. There stands the triumphant *principle* which the revolution established, confirmed by the seal of the first Congress, who, by their successful experiment, practically reaffirmed the truth, that it is the right of the people to alter or abolish their constitutions of government; and showing by their own act, that such change might be effected peacefully. There stands our first great precedent, as it shone forth living from the hands of the sages of "76." There it shall stand forever, as an example to all future ages, showing that the great principle for which we contend, is no more sublime in theory than safe and true in practice.

We trust that the bands may yet embrace, in harmonious Union, all the States, even the seceding States. "Speak the truth in love," said the Apostle. "Truth coming from a loving hand, firm but gentle, and sweet like the warm sunbeam, is welcome to all.

Perhaps the neglect of it is the cause of more failures in delivering of well meant advice than any other circumstance. We proceed to correct with the rough, stern hand of truth alone, and we encounter resistance. We are sure we are right, and we proceed to reproach and invectives. Against this people may it never be written as against an ancient King, "Thou art weighed in the balance and found wanting." "Thy kingdom shall be divided."

Rather let me advise my readers, whom we trust are all be-

lievers in Revelation, to read carefully and prayerfully the 4th chapter of Jeremiah. Act promptly upon the command of God, as given therein. Be God fearing and loving people. Let the voice of the people of this great nation speak thro' the ballot box, as it speaks for the election of all public officers, and say, shall the subject of slavery, (for which the north bears no more responsibility before God and the world than one neighbor bears for the conduct of another, in his own domestic relations,) be dropped forever by them, and left to flow on undisturbed as the waters of the rivulet flows on to the river and in time becomes absorbed therein, and the country remain undivided, united, as our fathers pledged themselves by their most solemn oaths before God and the world it should be, or say through the ballot box to the contrary.

Attention, then, kind reader, and gentle patience, for the question which is now pending—shall this country remain united, or shall the Union be dissolved? Speak quickly! It is a question for the north to answer. We hope and believe the people of the north will say, We are for Union! God's love for this nation has been extraordinary. He has caused it to multiply as the bud of the field, and to be increased and waxing great. "And thy renoun went forth among the heathen for thy beauty, for it was perfect through my comeliness which I had put upon thee, saith the Lord God."—Eze 16: 14, 7. "Return unto the Lord, then shalt thou not remove, saith the Lord."

Hereafter guard more carefully and punish more promptly the violation of the oath. To say nothing of the sin of its violation, but confine it to our liberty as a nation, and as individuals, how indispensibly necessary is it, forming as it does the basis of our government, as it did also that of the Jews, that summary punishment should follow a violation of the oath. Let us contemplate for a moment the council of

the venerable seventy rulers of Israel, collected in the spacious hall of audience, sitting in the seat of Moses, to administer justice according to the book of the law, and in the name of the Most High God, with Christ at the bar of the ecclesiasticle. Jesus bound! Think of the Holy One of God arraigned as a criminal. The Judge of the world judged by sinners! Where was there ever a more outrageous contrast exhibited! The council seek for witnesses against Jesus! They seek because unsought nothing of the kind presents itself. They long to meet, in the garden of his life, with a single poisonous plant from which they may weave for him a fatal wreath. But a more fruitless undertaking was perhaps never attempted. A number of bribed witnesses are suborned, who strive to fasten one or other false accusation on the Holy One. But what is the result? They expose themselves, with those who hired them, in the most bare-faced manner, and serve only as a new foil to the innocence of the accused. They become confused and confute one another! With a judiciary mien, which only partially covers his perplexity, the High Priest says to him, in an imperious tone, "Answerest thou nothing?" But Jesus, we are told, "held his peace." How easy would it have been for him by a few words, to have most painfully exposed the august assembly! But he honors in it, as before the powers ordained of God, of whatever injustice they may be guilty; and viewing the matter thus, he deems it becoming him to hold his peace. His holding his peace is the reflection of a more mysterious silence, before another and higher than any human tribunal: and regarded from this point of view, it may be considered as a silence of confession and assent. Thus we see Jesus was betrayed, falsely accused and crucified. Oh how it thrills the heart to read it! Are our Courts guarded against false witnesses? See ye to it.

We have cast in our influence to save the Union, the widow's mite. But if others can suggest better methods, we will cheerfully acquiesce in them.

Let us say to the Union of the States, as they say to the Marriage Union.

"Thy rise of fortune did I only wed,
From its decline dutermined to recede,
Did I but purpose to embark with thee,
On the smooth surface of a summer sea,
While gentle zephyrs play in prosperous gales,
And fortune's favor fills the swelling sails,
But would forsake the bark and make the shore
When the winds whistle, and the tempests roar?
No, States of the Union, no! One sacred Oath has tied
Our loves, one destiny our lives shall guide,
Nor *wild*, nor *deep* our common way divide."

In addition to what I have already said upon the subject, I will add, will it be necessary for the two houses of the British Parliament to pass an Act in conjunction with that of the *will* of her Majesty, Queen Victoria, and his Royal Highness Prince Albert, establishing the order of succession to the Crown, to their son the Prince of Wales? And will it not also be necessary for them to pass an act legalizing the marriages that have taken place, and removing the law from their statute books that now annuls marriages?

The law places the mother under bonds to be guardian for her own child: what an anomaly would it present to the world for the men of this Union of States to dissolve them, and cast themselves at the feet of the Queen of Great Britain—*a woman*—for annexation to her government. Fie, fie on it. Be men! true, active, energetic men, and govern yourselves and people, or else choose a woman from your own people to govern you.

We did intend to extract largely from Thomas Jefferson's Notes on the State of Virginia, written in Virginia in 1781,

and somewhat corrected and enlarged in the winter of 1782, in answer to queries proposed to the author by a foreigner of distinction, but have not time or space for extensive extracts. He says—"The following is an epitome: The Colonies were taxed internally and externally—armed troops sent among them to enforce submission to their violence. They closed in the appeal to arms, and declared themselves independent States. They confederated together into one great republic, thus securing to every State the benefit of an union of their whole force. In each State separately a new form of government was established. We have before us the 'Articles agreed on and concluded at James Cittie in Virginia, for the surrendering and settling of that plantation, under the obedience and government of the Commonwealth of England, by the commission of the Council of State by authority of the Parliament of England, and by the grand assembly of the Gov. Council and Burgesses of that country.' The 16thly reads, That the commissioners for the parliament subscribing these, engage themselves, and the honor of parliament for the full performance thereof, and that the present Gov. and the Council and the Burgesses do likewise subscribe and engage the whole collony on their parts."

These Articles were signed and sealed by the Commissioners of the Council of State for the Commonwealth of England, the 12th day of March, 1651. Then follows an Act of indemnity made at the surrender of the country. It ends thus—And we do promise or declare further, by the authority of Parliament and Commonwealth of England, derived unto us, their Commissioners, that according to the articles in general we have granted an act of indemnity and oblivion to all the inhabitants of this collony from all words, actions or writings, that have been spoken, acted or writ, against the

parliament or commonwealth of England, or any other person from the beginning of the world to this daye."

The Colony supposed that by this solemn convention entered into with arms in their hands, they had secured the ancient limits of their country, its free trade, its exemption from taxation but by their own assembly, and exclusion from military force from among them. Yet in all points was this convention violated by subsequent Kings and Parliament. Their General Assembly, which was composed of the Council of State and Burgesses, sitting together and deciding by plurality of voices, was split into two houses, by which the council obtained a separate negative on their laws. Appeals from their Supreme Court, which had been fixed by law in their Generul Assembly, were arbitrarily revoked to England to be there heard before the King and Council. Instead of four hundred miles on the sea coast, they were reduced in the space of thirty years, to about one hundred miles. Their trade with foreigners was totally suppressed, and when carried to Great Britain was there loaded with impost.

But enough of that. He says with regard to laws, "necessary alterations were made in the common law of England, and so much of the whole body of the British statutes and of Acts of the Assembly as were thought proper to be retained, were digested into 126 new acts, in which simplicity of style was aimed as far as was safe. Then follows the alterations made. With regard to slavery he says, To emancipate all slaves born after passing the Act. The bill reported by the revisors does not itself contain this proposition, but an amendment containing it was prepared, to be offered to the legislature whenever the bill should be taken up, and further directing that they should continue with their parents to a certain age, then be brought up at the public expense, to tillage, arts or sciences, according to their geniuses, till the females should be eighteen, and the males tweenty-one years

of age, when they should be colonized to such place as the circumstances of the time should render most proper, sending them out with arms, implements of household and handicraft arts, seeds, pairs of the useful domestic animals, &c., to declare them a free and independent people, and extend to them our alliance and protection till they have acquired strength; and to send vessels at the same time to other parts of the world for an equal number of white inhabitants; to induce whom to migrate hither, proper encouragement were to be proposed. It will probably be asked, Why not retain and incorporate the blacks into the state, and thus save the expense of supplying by importation of white settlers, the vacancies they will leave? Deep rooted prejudices entertained by the whites; ten thousand recollections, by the blacks, of the injuries they have sustained; new provocations; the real distinctions which nature has made; and many other circumstances, will divide us into parties, and produce convulsions, which will probably never end but in the extermination of the one or the other race.

To these objections, which are political, may be added others, which are physical and moral. The first difference which strikes us is that of color. Whether the black of the negro resides in the reticular membrane between the skin and scarf-skin, or in the scarf-skin itself; whether it proceeds from the color of the blood, the color of the bile, or from that of some other secretion, the difference is fixed in nature, and is as real as if its seat and cause were better known to us. And is this difference of no importance? Is it not the foundation of a greater or less share of beauty in the two races? Are not the fine mixtures of red and white, the expressions of every passion by greater or less suffusions of color in the one, preferable, to that eternal monotony, which reigns in the countenances, that immoveable veil of black which covers all the emotions of the other race? Add to these, flowing hair, a

more elegant symmetry of form, their own judgment in favor of the whites, declared by the preference of them, as unformly as is the preference of the Oranootan for the black women over those of his own species. The circumstance of superior beauty, is thought worthy attention in the propagation of our horses, dogs, and other domestic animals; why not in that of man? Besides those of color, figure, and hair, there are other physical distinctions proving a difference of race. They have less hair on the face and body. They secrete less by the kidneys, and more by the glands of the skin, which gives them a very strong and disagreeable odor. The greater degree of transpiration renders them more tolerant of heat, and less so of cold than the whites. Perhaps too a difference of structure in the pulmonary apparatus, which a late ingenious experimentalist has discovered to be the principal regulator of animal heat, may have disabled them from extricating, in the act of inspiration, so much of that fluid from the outer air, or obliged them in expiration to part with more of it. They seem to require less sleep. A black, after hard labor through the day, will be induced by the slightest amusements to sit up till midnight, or later though knowing he must be out with the first dawn of the morning. They are at least as brave and more adventuresome. But this may perhaps proceed from a want of forethought, which prevents their seeing a danger till it be present. When present, they do not go through it with more coolness or steadiness than the whites. They are more ardent after their female; but love seems with them to be more an eager desire, than a tender delicate mixture of sentiment and sensation. Their griefs are transient. Those numberless afflictions, which render it doubtful whether heaven has given life to us in mercy or in wrath, are less felt, and sooner forgotten with them. In general, their existence appears to participate more of sensation than reflection. To this must be ascribed their disposition to sleep when abstract-

ed from their diversions, and unemployed in labor. An animal whose body is at rest, and who does not reflect, must be disposed to sleep of course. Comparing them by their faculties of memory, reason and imagination, it appears to me that in memory they are equal to the whites; in reason, much inferior, as I think one could scarcely be found capable of tracing and comprehending the investigations of Euclid; and that in imagination they are dull, testacles, and anomalous. It would be unfair to follow them to Africa for this investigation. We will consider them here, on the same stage with the whites, and where the facts are not apocryphal on which a judgment is to be formed. It will be right to make great allowance for the difference of condition, of education, of conversation, of the sphere in which they move. Many millions of them have been brought to, and born in America. Most of them indeed have been confined to tillage, to their own homes, and their own society; yet many have been so situated, that they might have availed themselves of the conversation of their masters; many have been brought up to the handicraft arts, and from that circumstance have always been asssociated with the whites. Some have been liberally educated, and all have lived in countries where the arts and sciences are cultivated to a considerable degree, and have had before their eyes samples of the best works from abroad. The Indians, with no advantages of this kind, will often carve figures on their pipes not destitute of design and merit. They will crayon out an animal, a plant, or a country, so as to prove the existence of a germ in their minds which only wants cultivation. They astonish you with strokes of the most sublime oratory; such as prove their reason and sentiment strong, their imagination glowing and elevated. But never yet could I find a black that had uttered a thought above the level of plain narration; never see even an elementary trait of painting or sculpture. In music they are more generally

gifted than the whites with accurale ears for tune and time, and they have been found capable ot imagining a small catch.* Whether they will be equal to the composition of a more extensive run of melody, or of complicated harmony, is yet to be proved. Misery is often the parent of the most affecting touches in poetry. Among the blacks is misery enough, God knows, but no poetry. Love is the peculiar œstrum of the poet. Their love is ardent, but it kindles the senses only, not the imagination.

The improvement of the blacks, in body and mind, in the first instance of their mixture with the whites, has been observed by every one, and proves that their inferiority is not the effect merely of their condition of life. We know that among the Romans, about the Augustan age especially, the condition of their slaves was much more deplorable than that of the blacks on the continent of America. It was the common practice to expose, in the island Æsculapius, in the Tyber, diseased slaves, whose cure was like to become tedious. The emperor Claudius, by an edict, gave freedom to such of them as should recover, and first declare that if any person chose to kill rather than expose them, it should be deemed homicide. The exposing them is a crime of which no instance has existed with us; and were it to be followed by death, it would be punished capitally. We are told of a certain Tedius Pollio, who, in the presence of Augustus, would have given a slave as food to his fish, for having broken a glass. With the Romans, the regular method of taking the evidence of their slaves were under torture. Here it has been thought better never to resort to their evidence. When a master was murdered, all his slaves, in the same house, or within hearing, were condemned to death. Here punishment

* The instrument proper to them is the Banjo, which they brought hither from Africa, and which is the original of the guitar, its chords being precisely the four lower chords of the guitar.

falls on the guilty only, and as precise proof is required against him as against a freeman. Yet notwithstanding these and other discouraging circumstances among the Romans, their slaves were often their rarest artists. They excelled too in science, inasmuch as to be usually employed as tutors to their master's children. It is not their condition then, but nature, which has produced the distinction.

Whether further observation will or will not verify the conjecture, that nature has been less bountiful to them in the endowments of the head, I believe that in those of the heart she will be found to have done them justice. That disposition to theft with which they have been branded, must be ascribed to their situation, and not to any depravity of the moral sense. The man, in whose favor no laws of property exists, probably feels himself less bound to respect those made in favor of others. When arguing for ourselves,we lay it down as a fundamental, that laws, to be just, must give a reciprocation of right; that without this they are mere arbitrary rules of conduct, founded in force and not in conscience: and it is a problem which I give the master to solve, whether the religious precepts against the violation of property were not framed for him as well as the slave? And whether the slave may not as justifiably take a little from one, who has taken all from him, as he would slay one who would slay him? That a change in the relations in which a man is placed should change his idea of moral right and wrong, is neither new, nor peculiar to the color of the blacks. Homer tells us it was so 2600 years ago.

> Jove fixed it certain, that whatever day
> Makes man a slave, takes half his worth away.

But the slaves of which Homer speaks were whites. Notwithstanding these considerations which must weaken their respect for the laws of property, we find among them numer-

ous instances of the most rigid integrity, and as many as among their better instructed masters, of benevolence, gratitude, and unshaken fidelity. The opinion that they are inferior in the faculties of reason and imagination, must be hazarded with great diffidence. To justify a general conclusion, requires many observations, even where the subject may be submitted to the anatomical knife, to opticle classes, to analysis by fire, or by solvents. How much more then where it is a faculty, not a substance, we are examining; where it eludes the research of all the senses; where the condition of its existence are various and variously combined; where the effects of those which are present or absent bid defiance to calculation; let me add too, as a circumstance of great tenderness, where our conclusions would degrade a whole race of men from the rank in the scale of beings which our Creator may perhaps have given them. To our reproach it must be said, that though for a century and a half we have had under our eyes the races of black and of red men, they have never yet been viewed by us as subjects of natural history. I advance it therefore as a suspicion only, that the blacks, whether originally a distinct race, or made distinct by time and circumstances, are inferior to the whites in the endowments both of body and mind. It is not against experience to suppose, that different species of the same genius, or varieties of the same species, may possess different qualifications. Will not a lover of natural history then, one who views the gradations in all the races of animals with the eye of philosophy, excuse an effort to keep those in the department of man as distinct as nature has formed them? This unfortunate difference of color, and perhaps of faculty, is a powerful obstacle to the emancipation of these people. Many of their advocates, while they wish to vindicate the liberty of human nature are anxious also to preserve its dignity and beauty. Some of these, embarrassed by the question,' What

further is to be done with them! Join themselves in opposition with those who are actuated by sordid avarice only. Among the Romans emancipation required but one effort. The slave, when made free, might mix with, without staining the blood of his master. But with us a second is necessary, unknown to history. When freed, he is to be removed beyond the reach of mixture."

Gentle reader, bear in mind that our blessed redeemer taught us by his own example and precept, to suffer, or permit the state of things, evil or otherwise, to be so now. Speaking to John, who objected to obeying our Lord's commands, from a view of his unworthiness, He said, "suffer it to be so now, for thus it becometh us to fulfil all righteousness. Then he suffered him." He says likewise to us, "let the wheat and the tares grow together until the harvest." Will we suffer it? Let the slaves remain as they are,—let them go into the territories,—make no talk or compromises north or south, but each man stand at the door of his own heart and his own household, and see to guard it carefully that no obtruder enters therein to mar and divide that holy sanctuary. Don't let us be looking at our daily papers as soon as we arise, to see if the Union of the States and the union of families have been dissolved during the last twenty-four hours, but rather put from us obnoxious laws, and be once more a united, happy, loving band, one household.

Let us contemplate for one moment, man, deprived of reason by his Maker, or by his passions, and what is more fearful or more to be dreaded? Is our nation bordering on to it? Reflect. The second, sober thought of the American people has always produced good results. God grant that it may be the case now, and that the seceeding States may all come into harmony and union, and thus remain until time shall be no more.

We can all readily understand with how much more ease

a parent can quell a family affair without the aid of neighbors than with. And with how much more ease he can remove evil therefrom, and rectify what is needed. So with Slavery. Let it alone and the South will rectify in its own time all the evil that arises therefrom; as their good judgment may and will dictate.

Jefferson says: It is the manner and spirit of the people which preserve a republican vigor. A regeneracy in these, is a canker which soon eats to the heart of its laws and constitution. Secret organizations should be discouraged in a free country.

We have assumed from the first, that our readers are all believers in revelation. Let us therefore dwell a while longer on the great confession of Christ at the Judgment Hall of the Sanhedrim. The false witnesses have acted their part most wretchedly and stand unmasked. The sublime bearing of the accused, expressive only of innocence, completely paralyzes his adversaries. There the proud hiearch sits, and his thoughts take tumultuous counsel how the difficulty may be overcome, and how he may escape from the pressure. Such is the end of the Judicial proceedure. The perplexity of the High Priest is great. He must give the affair another turn. But of what kind? The hierarch convulsively snatches up his fallen dignity, and with the gravity of his office solemnly steps forward a few paces, and makes known his intention to cite the accused before the throne of the Almighty. Think of a testimony on oath by Jesus respecting himself! The High Priest re-assuming all his dignity, opens his mouth to utter the sublimest of all questions.

I adjure thee, says he, by the living God, that thou tell us whether thou be the Christ, the Son of the Blessed. He made use of the legal form customary in Israel. The person seems answered without repeating the form itself, with a single "yes!" or "no," being conscious at the same time that the

answer he gave, if it deviated from the truth, would be punished by the High and Lofty One who had been invoked as a witness, with his righteous displeasure, and the loss of eternal salvation. The High Priest thus solemnly calls upon Jesus, as it were for his credentials while making the basis of the entire Christian as the object of his inquiry.

To what is Jesus to swear? Whether he is the Christ—that is the Messiah. Caiphas indicates by that name, the objects of prophecy and comprehends in it all the promises and types of the Old Testament, out of which a sublime form ascends, who as Prophet, is to bring down the light of eternity to the earth; as High Priest, to give his own life as an atonement for the sins of the world; and as King, to establish an everlasting kingdom of grace and peace. This dignified Being is called the "Lord's Anointed," or "Christ." But Caiphas knows that this Christ will be a man, and yet at the same time the Lord Most High. He knows that the Messiah will be the Son of God. He will not only be like Jehovah, but Jehovah's equal, and thus really God. From this sublime point of view Caiphas asks, "Art thou he?" and believes that in Jesus affirming it, he will be justified in pronouncing him a blasphemer, and as such condemning him to death. What a momentous question! What would have been the consequence had an answer in the negative ensued? What mercy would then have been the portion of the sinful race of man? We are aware of the astonishing miracles by which Jesus had magnified himself. At the bier of the young man of Nain, and at the grave of Lazarus. We have seen Him in the endangered vessel, when the rage of the elements ceased at his beck, and on the stormy lake where the waves became firm beneath his feet and spread a crystal carpet for the King of Nature. We heard him say, "He that hath seen me hath seen the Father also," for "I and the Father are ono;" and "Before Abraham was. I am," Who

is a God like unto our God? Fear him, obey him, and forget not to keep or pay to him thy vows, and be saved. Our Lord says, "Whatsoever ye bind on earth shall be bound in heaven." The vow to keep the Union of the States, and the vow to keep the Family Union, until time shall be no more, are alike registered and bound in heaven. Think of that vow. May we be enabled, by Divine aid, to perform unto the Lord our vows.

Let us examine the constitutionality of the Personal Liberty Laws. The venerable John Quincy Adams has said that the Declaration of Independence was a social compact by which the whole people covenanted with each citizen, and each citizen with the whole people. The good of the governed is the end of government. Plato's opinion on this point, speaking of a good prince, he says: He neither thinks nor commands what may advance his own private interest; but what may promote the benefit of his subjects, and whatever he says or does is done for their advantage. Puffendorf, speaking on the same subject, Book 8, Sec. 2, says, "And therefore they (rulers) ought to esteem nothing as contributing to their own private or personal good, which is not at the same time profitable to the Commonwealth." Mr. Pitman says: "The citizen owes allegiance to the government, the government owes protection to the citizen." These duties and the rights that grow out of them are reciprocal. He goes on to show, that if the citizen makes war upon the goverrment, it is treason. Can we find a justific tion for a law which, if carried to its consequences, will terminate the State itself, as one of the States of the Union? This will apply equally to the law which annuls the marriage contract by limiting "All my worldly goods, to a "dower," which signifies nothing, comparatively speaking. How can a law be true in theory and false in practice? What is a theoretical principle which admits of no practical application? It can be nothing more than a nonentity. Truth is true, and all

beside is false; and there can be no theory which will not bear the application of practice. What is law? The Reviewer of Montesquieu says, "it means a rule of action prescribed by an authority invested with competent power, and a right so to do." (What right has the State to enact laws that will conflict with the oaths of allegiance to the Constitution, and destroy its union with the States, and destroy their union with their partners, or companions, in the marriage union?) This idea of law comprehends that of penalty, consequent of an infraction of a tribunal which determines the penalty, and a physical force to put it into execution. Think ye that the law has the right to inflict a penalty on the wife who should fail to render to the apprisals of a deceased husband's estate, as his, and to be heired by his nephew or niece instead of herself, property that she received from her own parents, and property that she had assisted her husband to accumulate? Think you it is just and right for an administrator (a partner in business), to take possession of thousands of dollars from the widow and keep it a year or more for his own benefit, and leave the widow with her little ones penniless, from a power imparted by a stranger called a Judge of Probate, who is empowered by law and they have the privilege of settling the acts to suit themselves, where there is only their own account to settle? and if any should remain, the widow can have a right of dower therein only? Locke says: "A man, as has been proved, cannot subject himself to the arbitrary power of another, and having in a state of nature no arbitrary power over the life, liberty, or possessions of another, but only so much as the law of nature gave him for the preservation of himself and the rest of mankind; this is all he doth or can give up to the community, and by it to the legislative power, so that the Legislature can have no more than this. Their power in the utmost bounds of it is limited to the public good of society. It is a power that can have no other end but preservation, and therefore can

never have a right to destroy, enslave, or designedly injure the subjects. "The obligations of the law of nature," says Locke, "cease not in society, but only in many cases are drawn closer, and have by human laws known penalties annexed to them to enforce their observation." Thus the laws of nature stand as the eternal rule to legislators, as well as to others. The rules that they make for other men's actions must, as well as their own, be conformable to the law of nature — that is, to the will of God, of which that is a declaration; and the fundamental law of nature, being the preservation of mankind, no human sanction can be good against it. In the law of nations, the law of nature is included — included, but not annihilated. Mr. Hamilton, speaking of the introduction of Bills of Rights, (which include Personal Liberty *Bills*, and Rights of *Dower*), into State Constitutions says: "It is evident therefore, that according to their primitive signification (abridgments of prerogative in favor of privilege), they have no application to constitutions professedly founded upon the power of the people and executed by their immediate representatives and servants. Here in strictness the people surrendered *nothing*, and as they *retain everything*, they have no need of particular reservations. Madison replied to certain cavilers that had objected to the Convention that framed the Constitution of the United States, on the ground of their having transcended the powers with which they were entrusted, strenuously advocates a disregard of the Articles of Confederation; or, in other words, that the end should not be sacrificed to the means. After very ably sustaining this point, he says: "In all great changes of established governments, *forms ought to give* way to substances, that a rigid adherence in such cases, the former would render nominal and nugatory *the transcendant* and special right of the people to "alter" or abolish their governments as to them shall *seem most likely* to effect their *safety and happiness*; since it is impossible for

the people, spontaneously and universally, to move in concert towards that object; and it is, therefore, essential that such changes be *instituted* by *some informal* and unauthorized propositions made by some patriotic and respectable citizen or citizens. It was by this irregular and assumed privilege, of proposing to the people plans for their safety and happiness, that the States were first united against the danger with which they were threatened by their ancient government; that Committees and Congresses were formed for concentrating their efforts and defending their rights, and that conventions were elected in the several States for establishing the Constitution under which they are now governed; nor could it have been forgotten that no little, ill-timed scruples, no zeal for adhering to *ordinary forms* were anywhere seen, except in those who wished to indulge, under these masks, their secret enmity to the substance contended for. They must have borne in mind, that as the plan to be framed and proposed was to be submitted to the *people themselves* — the disapprobation of this *supreme authority* would destroy it forever, its approbation blot out all antecedent errors and irregularities.

Shall we, as a people, adhere to forms, in the shape of liberty bills, and rights of dower, and thereby lose the substance,—the union of States, and the union of families thereof? It seems then, that the original Congresses and Conventions of the United States were formed by an "*irregular* and assumed privilege." Who among our northern citizens will now volunteer to assume the privilege of submitting a *Plan* to the *People* to save the Union? The writer's plan would be, to let the government of the United States, and the government of each State, remain as at the beginning. If a State, through the people, see fit to change their own Constitution and laws, they have that right to do thus. But we can see no right one State has over another State, more than we can the right of a neighbor to interfere with another's, in his domestic

relations. Do not, therefore, longer contend for *forms*, but embrace *substance*, and then surely the union of States and the union of families are both preserved. Who says aye! Take a vote. I hear aye! aye! from all quarters, without a dissenter. Well! we pronounce it a vote!!! The union of both States and families are saved!! Preserved for all time, as designed by their framers from the beginning. The only laws the young couple know, or recognize, when they enter the union of marriage, is the law of love, and a reciprocation of kindness to each other. And as one they strive to build up an edifice which shall perpetuate, to coming generations, a lasting memento of their names and works. Shall that tender, loving being be deprived of her equal rights in the works of her own hands, after struggling with poverty, and sickness, and self-denial, by a *form of law*, without *substance*? Shall the substance, which as an help-meet with her husband, and the substance she brought to her husband to rear that edifice, be snatched from her and given to others? Shall she have no *right* over her children, but be placed under bonds to their guardian, as any stranger would be, and even denied that privilege, if she claimed the privilege, that a *foe* may have, viz:—that of administering on the estate? For the *Lord's* sake, (who is angry with the wicked every day), and for the sake of humanity, begin here at home, in the Northern States, to set your own houses in order. Don't delay another day, we beseech you. We see by your glistening eyes, gentlemen, that you are ready for the question,—shall the marriage union, as instituted by our Lord, in the garden of Eden, where He pronounced our first parents one flesh, and our first mother, Eve, the mother of all living, which included all Adam's possessions Our Lord having given him, to possess and to name, every living thing. And as also ratified by the marriage contract, "with the ring I wed thee, and with all my worldly goods I endow thee," in the name of the Holy Trinity. We say, again, we

know you are now ready for the above questions, now for the vote. We hear nothing but aye! aye! from all quarters of the Union of States, (which we have just cemented with your votes); well, then we pronounce it a vote—that the union of families shall be preserved through all times! even until death, shall the husband love, cherish, and protect, and the wife, honor, love, and obey her husband. Can anything more be said or done, or is any more needed, now that the people have spoken? Why yes! blot out the writing from your statute books, that the remembrance of them may not be left to disgrace the name of a people who profess to love God, and to obey His commandments. He has said, Children obey your parents, Honor thy father and thy *Mother*, with a first promise viz:—"that it shall well with thee, and thou mayst *live long* on the *earth*." Forget not to perform unto the Lord thy vows!! God is not so far off but what he takes cognizance of a violation of them; as also of every other false act. Blot out the *form*, the law which conflicts with the oath of allegiance to the Union of States and the Union of Families, and see what blessed results will flow therefrom. We could specify them; but we leave it for you. We seem at this moment standing on an eminence which overlooks the whitening harvest; the good results flowing from the votes of the people to preserve the Union of States and families as set forth, in this pamphlet, but we have no time to enlarge, we must hasten and do quickly our work ere the day be passed.

Jefferson says it is not only the right, but the duty of those now on the stage of action, to change the laws and institutions of government to keep pace with the progress of knowledge, the light of science, and the amelioration of the condition of society, nothing is considered unchangeable but the inherent and inalienable rights of men "and women."

It will be seen by the readers of 4th Sec. of the 4th Art. of the Constitution of the U. S., and portions of the acts of Con-

gress approved Feb. 28, 1795, also a portion of the act of March 3d, 1807, that no power is vested in the Executive of the United States to anticipate insurrectionary movements against the Government, so as to sanction the interposition of military authority, but that there must be an actual insurrection manifested by lawless assemblages of the people.

We speak with all the deference due to the position and exalted virtues of her Majesty Queen Victoria, whose virtues we so much admire, that we would fain strive to imitate, and have all our sisters strive to imitate. Still we think it an anomaly for the men of this great nation, and those who have sought an asylum among us, to cast themselves at the feet of a woman,—the Queen of the very nation our fathers pledged their lives, their fortunes and their sacred honors, that they would be freed from; because of their oppression. Then again the women of this nation will surely feel slighted to be overlooked in the establishment of a Crown, to have the gems added to one that already has sufficient, by the approval of the citizens of this State.

With the forbearance of men, in the strength that holdeth passion in subjection to itself, urging always that Truth and Right must finally prevail, bear ye awhile with insult, or indignities, and accustom not yourselves to use your will; as your right hand, and your reason; as your left. Then harmony will be perfectly restored throughout our borders. And hereafter watch and guard more carefully your liberties as a people.

As we have decided to sustain the Union by the vote of all parties, North, South, East and West, and have fully proved, by Jefferson and others, that the decision of the majority is the vital principle of Republics, from which there is no appeal; it seems superfluous to enlarge, or enforce any longer upon that point; but we wish to show you the danger that has lurked about us. Now, gentlemen, what would have

been the consequences? And what would our Fathers have said, to have seen their sons appreciate so little their toils and sufferings, and blood, to secure to us our independence; to have to throw it all aside, and no longer celebrate the 4th of July, the birth-day of our independence, but living voluntarily under the red flag of the British. We know there are many excellent people among us, from the British dominions. Let America, then, still continue to be the Nursing-mother of Nations. Let the poor and the oppressed of every clime flock to her wide-stretched arms.—These were the almost dying words of my aged Father—as he stretched out his arms he exclaimed, "Oh that I had the power thus to embrace the whole world and make them happy."

We have said that it might be worth while to inquire what consequences would have followed a disunion. We stood upon the brink of an awful gulf. We were about to take the leap, and felt some anxiety to look down into it and obtain a glimpse of what sort of a tartarus it was, into which we were about to make the final plunge.

Let us examine how much combustible material there is in this wide-spread Union. How many daring and reckless adventurers of all sorts. Gentlemen, it is the faith of the untutored savage, that certain birds of the air and beasts of the desert are endowed with something like a foreknowledge of a coming banquet which human strife is to provide; and that some days, in anticipation of the event, they come from all quarters to await the carnage. But we will not enlarge or specify. They would be sufficient to send a thrill of horror through the heart of every man, woman and child in this country.

We have already taken the vote of the whole people and have said to the North, give up, and to the South, keep not back; it may not be out of place however, to speak of a Convention of the people of all the States. We have shown that

the people are the sovereign rulers, and that they have a right to assemble to consult upon the public welfare; a right to give instructions to their Senators and Representatives, and a right to apply to those invested with the powers of government for redress of grievances, for the repeal of injurious laws, for the correction of faults of administration, and for all other purposes. We would suggest that a mass Convention of the people be called immediately in every State throughout the country, and the people speak for themselves and say,—Shall not the Union of the States be preserved? Will not the North give up and the South keep not back, but bring their sons from far and their daughters from the four quarters of the nation. And thus honor the works of their Fathers, and claim the promise "that they might live long in the land which the Lord thy God giveth thee." Resolving that they will disclaim all action with, or for, any political party in this great question of the preservation of the Union, reserving to themselves, individually, their own opinions on all matters of State and National politics, which they call upon no man to sacrifice, and that heartily invite the earnest co-operation of men of all political parties, in the cause which they have at heart, and which we believe to be the cause of God and humanity. Robert Hall says the people have always the right to new model their government and set aside their rulers. No human power can have any pretensions to intereept its exercise. For civil rulers cannot be considered as having any claims that are coextended with those of the people, nor as forming a party separate from the nation. They are appointed by the community to execute its will, not to oppose it; they cannot bind the Society itself, or prevent it, when it shall think proper, from forming an *entire* new arrangement;—a right that no compact can alienate, or diminish, and which has been exerted as often as a free government had been formed.

We have discharged our duty in the call of a convention of the whole people, in every State, embracing those of the seceeding States, to provide for the attainment and security of the union of States. The first proposal we should make would be for all the seceeding States to harmonise again with their sister States, and the remaining States to remove all obnoxious laws, and every form, and cleave to the substance, viz: the preservation of the Union.

Let all things remain as they are—make no line of division, but let the South remove in their own time and manner their own domestic troubles, as suggested by Jefferson. We trust there will be no neeessity for repeating the injunction of Joseph to his brethren, "see that ye fall not out by the way." As well might a sane man insist to his wife that he has a right to chop off his right hand, or his own head, and leave her to provide for all his responsibilities, as for the States to seceed or consent to it. Take a trip in a sailing vessel across the ocean, and see with what joy you espy the flag of our Union on the deep blue waters. Especially after the hardships of boisterous weather, and no sun visable to take an observation. How joyfully you exchange signals to hear from home—the United States. It matters not from which State, provided she belongs to the United States. How different are your feelings if she raises the standard of any other nation, even though they speak the same language.

We have hastily thrown these ideas together, thinking each day that we sent to the printer, the last page at the 24th, and yet we have found each day something else to add, and now had we the time and power, we could enlarge and correct it. But we throw it as it is, with all its faults, before an enlightened community, and invite and beseech each individual, be his talents one or two, to assist in his own way to preserve the Union of the States.

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